

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ARBUTUS BIOPHARMA CORPORATION	)	
and GENEVANT SCIENCES GMBH,	)	
	)	
	)	
Plaintiffs,	)	
	)	
	)	
v.	)	C.A. No. 22-252 (MSG)
	)	
MODERNA, INC. and MODERNATX, INC.,	)	
	)	
Defendants.	)	

**STIPULATION AND [PROPOSED] ORDER REGARDING  
SCHEDULING ORDER EXTENSION**

The parties hereby stipulate and agree, subject to the approval of the Court, that the following due dates set forth in the Court's Scheduling Order (D.I. 72) are extended as follows, and the parties propose the Court order the following additional due dates:

Event	Current Date	Proposed Extension
Parties serve 30(b)(6) notices	N/A	March 8, 2024
Parties serve objections to 30(b)(6) notices	N/A	March 22, 2024
Meet and confer on 30(b)(6) notices	N/A	March 29, 2024
Last day to raise disputes with the Court concerning 30(b)(6) notices	N/A	April 8, 2024
Deadline For Moderna Substantial Rolling Production of any Supplemental Document Production	N/A	Thursday March 14, 2024
Deadline For Moderna Supplemental Document Production Completion	N/A	Thursday March 28, 2024
Fact Discovery Cut Off	Friday, March 1, 2024	Thursday, May 30, 2024
Final Infringement/Invalidity Contentions	Friday, March 15, 2024	Friday, June 21, 2024
Opening Expert Reports	Friday, April 5, 2024	Friday, July 19, 2024
Rebuttal Expert Reports	Monday, May 6, 2024	Friday, August 23, 2024
Reply Expert Reports	Friday, June 7, 2024	Wednesday, September 25, 2024
Parties to Advise on Expert Deposition Availability	Monday, June 10, 2024	Friday, September 27, 2024

<b>Event</b>	<b>Current Date</b>	<b>Proposed Extension</b>
Expert Discovery Cut Off	Wednesday, July 10, 2024	Wednesday, October 30, 2024
Deadline for Letters Requesting Leave to File a Dispositive Motion	Thursday, August 1, 2024	Wednesday, November 6, 2024
Daubert Motions	Monday, August 12, 2024	Friday, December 13, 2024
Summary Judgment Motions (if leave is granted)		Friday, December 13, 2024
Opposition to Daubert Motions	Thursday, September 12, 2024	Friday, January 24, 2025
Oppositions to Summary Judgment Motions	N/A	Friday, January 24, 2025
Reply ISO Summary Judgment & Daubert Motions	N/A	Friday, February 14, 2025
Hearing on Summary Judgment & Daubert Motions	N/A	TBD
Pretrial papers to be exchanged pursuant to D. Del. LR 16.3	N/A	Wednesday, March 5, 2025
Parties File Joint Proposed Final Pretrial Order, Jury Instructions, Voir Dire, and Special Verdict Forms	N/A	Friday, April 4, 2025
Pretrial Conference (subject to the Court's availability)	N/A	Friday, April 11, 2025
TRIAL (subject to the Court's availability)	N/A	Monday, April 21, 2025
Filing of Joint Form of Order	N/A	7 days after jury verdict
Filing of Joint Post-Trial Status Report	N/A	7 days after jury verdict

Pursuant to D. Del. LR 16.4, counsel certifies that copies of this stipulation have been sent to their respective clients.

SHAW KELLER LLP

*/s/ Nathan R. Hoeschen*

---

John W. Shaw (#3362)  
Karen E. Keller (#4489)  
Nathan R. Hoeschen (#6232)  
Emily S. DiBenedetto (#6779)  
I.M. Pei Building  
1105 North Market Street, 12th Floor  
Wilmington, DE 19801  
(302) 298-0700  
jshaw@shawkeller.com  
kkeller@shawkeller.com  
nhoeschen@shawkeller.com  
edibenedetto@shawkeller.com

*Attorney for Plaintiffs*

February 26, 2024

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Travis J. Murray*

---

Jack B. Blumenfeld (#1014)  
Brian P. Egan (#6227)  
Travis J. Murray (#6882)  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899  
(302) 658-9200  
jblumenfeld@morrisnichols.com  
began@morrisnichols.com  
tmurray@morrisnichols.com

*Attorneys for Defendants*

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

---

UNITED STATES DISTRICT JUDGE